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BY CM/ECF

Honorable Katherine B. Forrest
United States District Judge
United States District Court
Southern District of New York
500 Pearl Street
New York, NY 10007-1312

Re: Aegean Bunkering (USA) LLC v. M/T AMAZON, etc., et al.
Civil Action No.: 14 CV 9447(KBF)

Dear Judge Forrest:

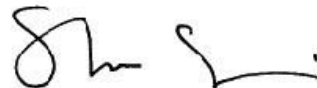
We write for Aegean and have the Court's [ECF 137] Order this morning, stating the Court's intention to enter summary judgment against Aegean with a full decision forthcoming.

Aegean anticipates that the Court's decision, in part, may rely on Judge Scheindlin's COSCO opinion. Plaintiff O'Rourke in that case (now reassigned to Judge Batts), however, has moved for reconsideration, with the final briefing due June 10th.

O'Rourke's pending reconsideration memorandum is herewith. In the *Valero* 5th Circuit appeal,¹ opening briefs now are due June 1st. The Federal Court of Appeal of Canada is to hear the *Canpotex* appeal,² on June 16th.

We note that the Court intends to hold a hearing Friday after next, May 13th, on Jasper's show cause motion. Aegean had requested oral argument on its summary judgment motion, and continues to suggest that oral argument would be helpful to this Court's summary judgment consideration. If the Court agrees, that oral argument also could be Friday, May 13th.

Respectfully Submitted,



J. Stephen Simms

cc: All counsel of record via CM/ECF

¹ *Valero Marketing & Supply Co. v. M/V Almi Sun*, IMO No. 9579535, et al, Court of Appeals Docket #: 16-30194 (United States Court of Appeals for the Fifth Circuit)

² *ING v. Canpotex Shipping Services*, Canada Federal Court of Appeals No. A-462-15, http://cas-cdc-www02.cas-satj.gc.ca/fca-caf/IndexingQueries/infp_RE_info_e.php?court_no=A-462-15